

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Mylan N.V. Securities Litigation

Case No. 1:16-CV-07926 (JPO)

MYL Litigation Recovery I LLC,

v.

Mylan N.V., *et al.*

Case No. 1:19-CV-01799 (JPO)

Abu Dhabi Investment Authority,

v.

Mylan N.V., *et al.*

Case No. 1:20-CV-01342 (JPO)

**JOINT STIPULATION AND ORDER REGARDING DEPOSITIONS OF
UNAVAILABLE INDIVIDUALS**

WHEREAS, on October 22, 2020, this Court entered a Scheduling Order (Class Action ECF No. 178) pursuant to which fact discovery closes in the above-captioned actions (the “Related Actions”) on April 12, 2021 and dispositive motions are due on July 19, 2021;

WHEREAS, on December 8, 2020, the Class Representatives served Defendants, through their undersigned counsel, a Notice of Depositions Pursuant to Fed. R. Civ. P. 26 & 30, pursuant to which the Class Representatives noticed the deposition of an individual who is currently unavailable (“Unavailable Individual 1”) due to a request by the Department of Justice (“DOJ”), an intervenor in the Related Actions, that Plaintiffs delay his deposition because of the matters pending under the captions *U.S. v. Teva Pharmaceuticals USA, Inc., et al.*, No. 20-CR-00200-RBS

(E.D. Pa.), and *U.S. v. Aprahamian*, No. 20-CR-00064-RBS (E.D. Pa.), and another individual who is currently unavailable due to illness (“Unavailable Individual 2”);

IT IS HEREBY STIPULATED AND AGREED by and between the Parties, through their undersigned counsel, as follows:

1. The deadline for fact discovery shall be extended only to permit the depositions of the Unavailable Individuals after April 12, 2021.

2. If Plaintiffs want to depose Unavailable Individual 1 before the DOJ agrees that that deposition may proceed, or to depose Unavailable Individual 2 before Defendants agree that that deposition may proceed, Plaintiffs must first file a letter motion with the Court seeking a conference to resolve the dispute.

3. If any such deposition occurs after any party files a motion in support of, or in opposition to, summary judgment, then prior to the Court’s ruling on such motion, any party may make a supplemental filing not to exceed five (5) pages addressing the deposition.

STIPULATED AND AGREED TO BY:

Dated: April 7, 2021

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SO ORDERED.

Dated: April 7, 2021

New York, New York



J. PAUL OETKEN
United States District Judge